

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



April 23, 2002

Regulation Package #0301-05

CDSS MANUAL LETTER NO. CCL-02-01

TO: HOLDERS OF THE COMMUNITY CARE LICENSING MANUAL, TITLE 22, DIVISION 6,  
CHAPTER 8, RESIDENTIAL CARE FACILITIES FOR THE ELDERLY

**Regulation Package #0301-05****Effective 02/21/02****Section 87102**

These regulations revise the RCFE 40-Hour Initial Certification "Core of Knowledge Guideline". The guideline is referenced in Section 87102 (d). This guideline contains topics within the basic curriculum, which is provided to help administrators and others determine the appropriate educational requirements.

These regulations were considered at the Department's public hearing held on July 18, 2001.

**FILING INSTRUCTIONS**

**Revisions to all manuals are shown in graphic screen.** The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Community Care Licensing changes was Manual Letter No. CCL-01-25. The latest prior manual letter containing Residential Care Facilities for the Elderly changes was Manual Letter No. CCL-01-24.

Page(s)Replace(s)

15 and 15.1

Pages 15 and 15.1

Attachment

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**87101 DEFINITIONS (Continued)****87101**

- (B) A facility which is "providing care and supervision" as defined in Section 87101c.(2) includes, but is not limited to, one in which individual has been placed by a placement agency or family members.
- (C) A facility which is "held out as or represented as providing care and supervision" includes, but is not limited to:
  - (1) A facility whose license has been revoked or denied, but the individual continues to provide care for the same or different clients with similar needs.
  - (2) A facility where change of ownership has occurred and the same clients are retained.
  - (3) A licensed facility that moves to a new location.
  - (4) A facility which advertises as providing care and supervision.
- (D) A facility which "accepts or retains residents who demonstrate the need for care and supervision" includes, but is not limited to:
  - (1) A facility with residents requiring care and supervision, even though the facility is providing board and room only, or board only, or room only.
  - (2) A facility where it is apparent that care and supervision are being provided by virtue of the client's needs being met.
- (v) (1) Vendor. "Vendor" means a Department-approved institution, association, individual(s), or other entity that assumes full responsibility or control over a Department-approved Initial Certification Training Program and/or a Continuing Education Training Program.
- (2) Vendor applicant. "Vendor applicant" means any institution, association, individual(s), or other entity that submits a request for approval of an Initial Certification Training Program and/or a Continuing Education Training Program.
- (3) Voluntary. "Voluntary" means resulting from free will.
- (w) (1) Waiver. "Waiver" means a variance to a specific regulation based on a facility-wide need or circumstance which is not typically tied to a specific resident or staff person. Requests for waivers are made to the licensing agency, in advance, by an applicant or licensee.

**87101 DEFINITIONS (Continued)****87101**

(x) (Reserved)

(y) (Reserved)

(z) (Reserved)

NOTE: Authority cited: Sections 1569.23(d), 1569.30, 1569.616(j), and 1569.698(c), Health and Safety Code. Reference: 42 CFR 418.3; Sections 1569.1, 1569.2, 1569.5, 1569.10, 1569.145, 1569.15, 1569.153, 1569.157, 1569.158, 1569.17, 1569.19, 1569.191(e), 1569.193(a) and (c), 1569.20, 1569.21, 1569.23, 1569.30, 1569.31, 1569.312, 1569.38, 1569.44, 1569.47, 1569.54, 1569.616, 1569.699(a), 1569.73, 1569.74, 1569.82, 5350, and 7185 et seq., Health and Safety Code; Section 15610.13, Welfare and Institutions Code; and Sections 1800, 4615, and 4753, Probate Code.

**87102 DEFINITIONS - FORMS****87102**

The following forms, which are incorporated by reference, apply to the regulations in Title 22, Division 6, Chapter 8 (Residential Care Facilities for the Elderly).

- (a) LIC 9139 (2/01) - Renewal of Continuing Education Course Approval, Administrator Certification Program.
- (b) LIC 9140 (6/01) - Request for Course Approval, Administrator Certification Program.
- (c) LIC 9141 (5/01) - Vendor Application/Renewal, Administrator Certification Program.
- (d) PUB 325 (3/99) – Your Right To Make Decisions About Medical Treatment.
- (e) Core of Knowledge Guidelines (6/01/01) - RCFE 40-Hour Initial Certification.

NOTE: Authority cited: Section 1569.30, Health and Safety Code. Reference: Sections 1530 and 1569.616(i), Health and Safety Code; and Section 15376, Government Code.